

2 Jones
Glenale 98th

6 September 1983

-OLL 83-2089

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with the Director and Deputy
Director of Personnel Concerning Merit
Pay Reform Legislation, S. 958

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1. On 2 September 1983 at 10:00 a.m. a meeting was held in Director of Personnel McGee's office to discuss pending Merit Pay Reform legislation. Also in attendance at this meeting were [redacted]

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[redacted] Liaison Division, OLL; and the undersigned. At the beginning of the meeting I informed Mr. McGee that, after consultation with [redacted] a legal determination had been made that the Agency would be exempt from the provisions of S. 958 or from the provisions of Senator Ted Stevens' draft substitute for S. 958. This is because both pieces of legislation are governed by definitions of "agency" which specifically exclude the CIA. (The operative definition for S. 958 is 5 U.S.C. subparagraph 5102(a)(1)(vi)); the operative definition in Senator Stevens' draft substitute is subparagraph 7103(a)(3)(C)). Therefore, I will call James Cowen of the Senate Governmental Affairs Subcommittee on Civil Service, Post Office, and General Services to notify him that it is not necessary for CIA to be specifically listed as exempt from the merit pay provisions in Senator Stevens' draft legislation.

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2. Since we were all gathered together Mr. McGee chose to also discuss what CIA's response should be to OMB on the report of the Office of Personnel Management (OPM), which objected to section 109 of S. 888, the Economic Equity Act, which would extend annuity benefits for former spouses, similar to those now applicable to foreign service and CIA personnel serving overseas, to all Civil Service employees on a government-wide basis. After lengthy discussion, it was decided that our response to OMB should be that we have no objection to the views of OPM contained in their report.

3. Mr. McGee asked whether there was any language in the FY 83 Intelligence Authorization Act pertaining to personnel benefits. I indicated that I would check on this and let him know. He also would like to know if there is anything in the FY 84 Intelligence Authorization Act which will impact on personnel benefits or allowances. He also asked that research be done as to whether Representative Addabbo has taken any action by letter or by legislation which would limit our authority in the area of domestic travel.

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5. The final area of discussion concerned the call for suggestions from the Directorates for the Agency legislative program for the second session of the 98th Congress. Mr. McGee may be sending forward a proposal that the Agency again seek an exemption for our CIARDS mandatory retirees from section 301 of the Omnibus Budget Reconciliation Act of 1982 which penalizes individuals who retire prior to the age of 62 by a 50 percent reduction in their cost of living adjustment.

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cc:

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

August 15, 1983

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83-1936

LEGISLATIVE REFERRAL MEMORANDUM

TO: Department of Health and Human Services
Department of Justice
Department of Labor
Department of Transportation
Department of the Treasury
Pension Benefit Guaranty Corporation
Council of Economic Advisers
✓ Central Intelligence Agency

SUBJECT: OPM's proposed report to the Senate Finance Committee
on S. 888, "Economic Equity Act".

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than
Friday, September 2, 1983

Questions should be referred to Hilda Schreiber
(395-4650) or to Phoebe Felk
the legislative analyst in this office.

(395-3736),

*Called Hilda Schreiber
2-9-83 in aft. & informed her
that we have "no objection"
to the views of OPM in
their report.*
Enclosures

Naomi R. Sweeney
Naomi R. Sweeney for
Assistant Director for
Legislative Reference